

COUNT I - BREACH OF CONTRACT

7. The official Oklahoma "Certificate of Death" determined that Mark Phillips' manner of death was an "Accident."

8. Mrs. Phillips made a timely claim for accidental death benefits under the Policy.

9. On June 6, 2014, and again on July 28, 2014, The Hartford denied Mrs. Phillips' claim for accidental death benefits.

10. The Hartford's denials of Mrs. Phillips' claim constituted a "breach" of the Policy.

COUNT II - PUNITIVE DAMAGES

11. The Hartford's letters to Mrs. Phillips acknowledged that the State of Oklahoma officially ruled Mark Phillips' death to be an accident. Accordingly, the Hartford's denials of benefits were either a reckless or malicious breach of the insurer's duty of good faith and fair dealing.

COUNT III - DECLARATORY JUDGMENT

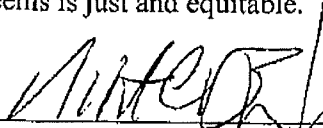
12. In cases of actual controversy, 12 O.S. §§ 1651 *et seq.* provides authority for the District Court to determine rights, status, or legal relations; including but not limited to, the construction or validity of any contract, instrument or agreement.

13. Mrs. Phillips has already pleaded that an actual controversy exists between Mrs. Phillips and The Hartford over her entitlement to benefits. Accordingly, the District Court has authority to enter a judgment to declare the rights and obligations of these parties.

PRAYER

WHEREFORE, premises considered, Andrea Phillips prays for Judgment against Hartford Life and Accident Insurance Company as follows:

1. Breach of contract damages of \$100,000;
2. Interest pursuant to Okla.Stat.tit. 23 §§ 6 & 22;
3. Punitive damages pursuant to Okla.Stat.tit. 23 § 9.1;
4. A judgment declaring the rights and obligations of Mrs. Phillips and The Hartford;
5. An award of attorney's fees and costs; and,
6. All further relief that the Court deems is just and equitable.



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